

1989 FEB -9 PM 2:41
HOUSE OF REPRESENTATIVES

I certify that the attached is a true and
correct copy of HB #509, which
was filed of record on JAN 18 1989
and referred to the committee on:
Judicial Affairs

FILED JAN 18 1989

Betty Murray
Chief Clerk of the House

By *Kuempel*

H.B. No. 509

A BILL TO BE ENTITLED

AN ACT

relating to supplemental compensation received by the judges of
district courts in Caldwell, Comal, Guadalupe, and Hays counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 32.028(c), Government Code, is amended to
read as follows:

(c) The salary is in addition to the salary paid by the
state and other authorized compensation.

SECTION 2. Section 32.046(c), Government Code, is amended to
read as follows:

(c) The salary is in addition to the salary paid by the
state and other authorized compensation.

SECTION 3. Section 32.094(c), Government Code, is amended to
read as follows:

(c) The salary is in addition to the salary paid by the
state and other authorized compensation.

SECTION 4. Section 32.105(c), Government Code, is amended to
read as follows:

(c) The salary is in addition to the salary paid by the
state and other authorized compensation.

SECTION 5. Sections 32.028(d), 32.046(d), 32.094(d), and
32.105(d), Government Code, are repealed.

SECTION 6. The importance of this legislation and the
crowded condition of the calendars in both houses create an

1 emergency and an imperative public necessity that the
2 constitutional rule requiring bills to be read on three several
3 days in each house be suspended, and this rule is hereby suspended,
4 and that this Act take effect and be in force from and after its
5 passage, and it is so enacted.

HOUSE COMMITTEE REPORT

1st Printing

RECEIVED
MAY 10 1967

By Kuempel

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COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

April 5, 1989
(date)

Sir:

We, your COMMITTEE ON JUDICIAL AFFAIRS,

to whom was referred HB 509 have had the same under consideration and beg to report
(measure)

back with the recommendation that it

- ☒ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ☐ no An actuarial analysis was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☐ yes ☒ no

A criminal justice policy impact statement was prepared. ☐ yes ☒ no

A water development policy impact statement was requested. ☐ yes ☒ no

☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars for placement on the ☐ Local, ☒ Consent, or ☐ Resolutions Calendar.

This measure ☐ proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Hill, P., Ch.	<input checked="" type="checkbox"/>			
Parker, V.C.	<input checked="" type="checkbox"/>			
Harris, C., C.B.O.				<input checked="" type="checkbox"/>
Hill, F.				<input checked="" type="checkbox"/>
Luna	<input checked="" type="checkbox"/>			
McCollough	<input checked="" type="checkbox"/>			
Rangel				<input checked="" type="checkbox"/>
Smithee				<input checked="" type="checkbox"/>
Uher	<input checked="" type="checkbox"/>			

Total 5 aye
0 nay
0 present, not voting
4 absent

Robert D. Hill
CHAIRMAN
Deborah K. Wall
COMMITTEE COORDINATOR

BILL ANALYSIS

H.B. 509

HOUSE COMMITTEE ON JUDICIAL AFFAIRS

BY: Kuempel

BACKGROUND

During the 69th Regular Session, the Texas Legislature created the Comal County Juvenile Board. The judge of the 207th District Court was added as a member. Under the law, members of the juvenile board could receive additional compensation for their duties from the general fund or any other available fund of the county.

PURPOSE

This bill would clarify Sections 32.028, 32.046, 32.094, and 32.105 by allowing the judges of these counties to receive any other authorized compensation.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not delegate rulemaking authority to a state officer, agency, department, or institution.

SECTION-BY-SECTION ANALYSIS

SECTION 1: Amends Section 32.028(c), Government Code, by allowing the judge of the district court in Caldwell County other authorized compensation.

SECTION 2: Amends Section 32.046(c), Government Code, by allowing the judge of the district court in Comal County other authorized compensation.

SECTION 3: Amends Section 32.094(c), Government Code, by allowing the judge of the district court in Guadalupe County other authorized compensation.

SECTION 4: Amends Section 32.105(c), Government Code, by allowing the judge of the district court in Hays County other authorized compensation.

SECTION 5: Repeals Sections 32.028(d), 32.046(d), 32.94(d), and 32.105(d), Government Code.

SECTION 6: Emergency clause. Act effective upon passage.

SUMMARY OF COMMITTEE ACTION

Public notice was posted on March 30, 1989 in accordance with House rules and a public hearing was held on H.B. 509 on April 5, 1989. No public testimony was taken. The committee voted to report H.B. 509 favorably, without amendments, to the House with the recommendation that it be placed on the Consent Calendar. The record vote was 5 ayes, no nays, no PNV, and 4.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 6, 1989

TO: Honorable Patricia Hill, Chair
Committee on Judicial Affairs
House of Representatives
Austin, Texas

In Re: House Bill No. 509
By: Kuempel

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 509 (relating to supplemental compensation received by the judges of district courts in Caldwell, Comal, Guadalupe, and Hays counties) this office has determined the following:

The bill would repeal a subsection of Caldwell, Comal, Guadalupe, and Hays counties' district judge local compensation statute. These provisions provide for a limitation of \$2,900 per year on the aggregate amount of local salary supplementation which may be paid to judges of certain judicial districts.

Any fiscal implications to the affected counties would depend on decisions made by county commissioners and therefore cannot be determined.

No fiscal implication to the State is anticipated.

Source: Comptroller of Public Accounts;
Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, BL

HOUSE ENGROSSMENT

89 APR 20 PM 2:36
HOUSE OF REPRESENTATIVES

By Kuempel

H.B. No. 509

A BILL TO BE ENTITLED

AN ACT

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SECTION 5. Sections 32.028(d), 32.046(d), 32.094(d), and 32.105(d), Government Code, are repealed.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an

H.B. No. 509

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3 days in each house be suspended, and this rule is hereby suspended,
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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 6, 1989

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Committee on Judicial Affairs
House of Representatives
Austin, Texas

In Re: House Bill No. 509
By: Kuempel

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No fiscal implication to the State is anticipated.

Source: Comptroller of Public Accounts;
Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, BL

REQUEST FOR LOCAL & UNCONTESTED CALENDAR
PLACEMENT

Hon. Bill Sims, Chairman
Administration Committee

Sir:

Notice is hereby given that HB 505, by: Kuenzel / Zaffari in
was heard by the Committee on Intergov. Relations on 5/5, 1989
and reported out with the recommendation that it be placed on the Local and Uncontested
Calendar.

K. A. Y.
Clerk of the reporting committee

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF THE BILL OR RESOLUTION, WHICH ALONG WITH 14 ADDITIONAL COPIES OF THE BILL OR RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE COMMITTEE ON ADMINISTRATION, ROOM 419. PLEASE CALL 3-0350 IF YOU HAVE ANY QUESTIONS. **DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS 5:00 P.M. FRIDAY.**

SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

5.10.89
(date)

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS to which was referred
HB 509 by Kuenpel have on May 9, 1989, had the same
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure Zaffirini

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Parmer, Chairman	<input checked="" type="checkbox"/>			
Leedom, Vice Chairman	<input checked="" type="checkbox"/>			
Armbrister				<input checked="" type="checkbox"/>
Barrientos	<input checked="" type="checkbox"/>			
Brown	<input checked="" type="checkbox"/>			
Carriker	<input checked="" type="checkbox"/>			
Haley	<input checked="" type="checkbox"/>			
Ratliff	<input checked="" type="checkbox"/>			
Tejeda				<input checked="" type="checkbox"/>
Washington	<input checked="" type="checkbox"/>			
Whitmire	<input checked="" type="checkbox"/>			
TOTAL VOTES	9	0	0	2

K. B. By H - 7
COMMITTEE CLERK

W. P. Hobby
CHAIRMAN

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

1 By: Kuempel (Senate Sponsor - Zaffirini) H.B. No. 509
2 (In the Senate - Received from the House April 21, 1989;
3 April 24, 1989, read first time and referred to Committee on
4 Intergovernmental Relations; May 10, 1989, reported favorably by
5 the following vote: Yeas 9, Nays 0; May 10, 1989, sent to
6 printer.)

7 COMMITTEE VOTE

	Yea	Nay	PNV	Absent
8 Parmer	x			
9 Leedom	x			
10 Armbrister				x
11 Barrientos	x			
12 Brown	x			
13 Carriker	x			
14 Haley	x			
15 Ratliff	x			
16 Tejada				x
17 Washington	x			
18 Whitmire	x			

20 A BILL TO BE ENTITLED
21 AN ACT

22 relating to supplemental compensation received by the judges of
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24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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28 state and other authorized compensation.

29 SECTION 2. Section 32.046(c), Government Code, is amended to
30 read as follows:

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32 state and other authorized compensation.

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34 read as follows:

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38 read as follows:

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40 state and other authorized compensation.

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42 32.105(d), Government Code, are repealed.

43 SECTION 6. The importance of this legislation and the
44 crowded condition of the calendars in both houses create an
45 emergency and an imperative public necessity that the
46 constitutional rule requiring bills to be read on three several
47 days in each house be suspended, and this rule is hereby suspended,
48 and that this Act take effect and be in force from and after its
49 passage, and it is so enacted.

50 * * * * *

51 Austin, Texas
52 May 10, 1989

53 Hon. William P. Hobby
54 President of the Senate

55 Sir:

56 We, your Committee on Intergovernmental Relations to which was
57 referred H.B. No. 509, have had the same under consideration, and I
58 am instructed to report it back to the Senate with the
59 recommendation that it do pass and be printed.

60 Parmer, Chairman

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

APR 27 REC'D

April 26, 1989

TO: Honorable Hugh Parmer, Chairman
Committee on Intergovernmental Relations
Senate Chamber
Austin, Texas

In Re: House Bill No. 509,
as engrossed
By: Kuempel

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 509, as engrossed (relating to supplemental compensation received by the judges of district courts in Caldwell, Comal, Guadalupe, and Hays counties) this office has determined the following:

The bill would repeal a subsection of Caldwell, Comal, Guadalupe, and Hays counties' district judge local compensation statute. These provisions provide for a limitation of \$2,900 per year on the aggregate amount of local salary supplementation which may be paid to judges of certain judicial districts.

Any fiscal implications to the affected counties would depend on decisions made by county commissioners and therefore cannot be determined.

No fiscal implication to the State is anticipated.

Source: Comptroller of Public Accounts; Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, PA

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 6, 1989

TO: Honorable Patricia Hill, Chair
Committee on Judicial Affairs
House of Representatives
Austin, Texas

In Re: House Bill No. 509
By: Kuempel

FROM: Jim Oliver, Director

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Source: Comptroller of Public Accounts;
Office of Court Administration;
LBB Staff: JO, JWH, AL, KVO, BL

F

ENROLLED

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5 passage, and it is so enacted.

H.B. No. 509

President of the Senate

Speaker of the House

I certify that H.B. No. 509 was passed by the House on April 20, 1989, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 509 was passed by the Senate on May 17, 1989, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 509[✓] was passed by the House
(1)

on April 20[✓], 1989, by the following vote:
(2)

Yeas 141[✓], Nays 0[✓], 1 present, not voting
(3) (4)

Chief Clerk of the House

I certify that H.B. No. 509[✓] was passed by the Senate

on May 17[✓], 1989, by the following vote:
(5)

Yeas 31[✓], Nays 0[✓]
(6) (7)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT25;

H. B. No. 509

By Kuempel

A BILL TO BE ENTITLED

AN ACT

relating to supplemental compensation received by the judges of district courts in Caldwell, Comal, Guadalupe, and Hays counties.

JAN 18 1989

1. Filed with the Chief Clerk.

FEB 9 1989

2. Read first time and Referred to Committee on

Judicial Affairs

APR 5 1989

3. Reported favorably (~~as amended~~
(~~as substituted~~) and sent to Printer at 6:45pm
APR 7 1989

APR 10 1989

4. Printed and distributed at 11:27am

APR 10 1989

5. Sent to Committee on Calendars at L&C 4:22pm

APR 20 1989

6. Read second time (~~amended~~); passed to third reading (~~failed~~) by Non-Record Vote
(Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

APR 20 1989

9. Read third time (~~amended~~); finally passed (~~failed~~) by (~~Non-Record Vote~~) (Record Vote of 141 yeas, 0 nays, 1 present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

APR 20 1989

12. Ordered Engrossed at 11:50am

APR 20 1989

13. Engrossed.

APR 20 1989

14. Returned to Chief Clerk at 2:36pm

APR 21 1989

15. Sent to Senate.

Betty Murray
Chief Clerk of the House

APR 21 1989

16. Received from the House

APR 24 1989

17. Read, referred to Committee on INTERGOVERNMENTAL RELATIONS

MAY 10 1989

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

MAY 17 1989

Laid before Senate
23. Read second time _____ passed to third reading by:
(la viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

MAY 17 1989

25. Senate and Constitutional 3-Day Rules suspended by vote of 30 yeas,
1 nays to place bill on third reading and final passage.

MAY 17 1989

26. Read third time and passed by

(~~la viva voce vote.~~)
(31 yeas, 2 nays.)

OTHER ACTION:

OTHER ACTION:

Betty King

Secretary of the Senate

May 17, 1989

27. Returned to the House.

MAY 17 1989

28. Received from the Senate (~~with amendments.~~)
(~~as substituted.~~)

29. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

30. Conference Committee Ordered.

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 17 1989

32. Ordered Enrolled at 10:56 am

HOUSE OF REPRESENTATIVES

89 APR 20 PM 2:36

HOUSE OF REPRESENTATIVES

89 APR 10 AM 11:27